

GOVERNMENT OF TELANGANA
ABSTRACT

Public Servants – RWS&S – Allegations of misuse of MP LADS in the construction of Kalabhavan at Narayanpet, Mahabubnagar - Disciplinary proceedings against Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service) under Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 read with Rule 9 of Telangana Revised Pension Rules, 1980 – Article of charges – Issued.

PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.Rt.No. 228

Dated: 08-05-2019

Read:

G.O.Ms.No.32, PR&RD (Vig.I) Dept., dt.08.05.2019

ORDER:

In pursuance of the sanction accorded in the reference read above, under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of Telangana Revised Pension Rules, 1980, for instituting departmental proceedings against Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service), it is proposed to hold an enquiry against Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service) in accordance with the procedure laid down in Rule 20 of the Telangana Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A list of documents by which and a list of witnesses by whom, the article of charges are proposed to be sustained are also enclosed (Annexure-II & III).

3. Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service), is directed to submit within ten (10) days of the receipt of this order, a written statement of his defence.

4. Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service), is informed that an enquiry will be held only in respect of article of those charges as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service), is further informed that if he does not submit his written statement of defence on or before the period specified in Para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Telangana Civil Services (Classification, Control & Appeal) Rules, 1991 or the orders / directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex-parte.

6. Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service) is invited to Rule 24 of the Telangana Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet (now dismissed from service), is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule-24 of the Telangana Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT (PR&RD)

To

Sri S.Sathyanarayana Rao, the then Executive Engineer, Panchayat Raj, Narayanpet
(now dismissed from service) through the Engineer-in-Chief, PR, Hyderabad. (P.T.O)

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The Engineer-in-Chief, PR, Hyderabad.

(in duplicate with a request to serve and return the dated acknowledgement copy)

Copy to:

The Secretary to VC, TVC, Hyderabad.

The GA (V&E) Department

(Vigilance Report No.45 (191/V&E/E.III/2017), dt.03.10.2017

The PR&RD (PR.I) Deptt.,

SF/SC

//FORWARDED BY :: ORDER//

SECTION OFFICER

ANNEUXRE –I

(Annexure to G.O.Rt.No.228, PR&RD (Vig.I) Deptt., dt.08.05.2019)

STATEMENT OF ARTICLES OF CHARGES FRAMED AGAINST SRI S.SATHYANARAYANA RAO, THE THEN EXECUTIVE ENGINEER, PR, NARAYANPET (NOW DISMISSED FROM SERVICE)

CHARGE- I:

That Sri S.Sathyanarayana Rao, the then Executive Engineer, PR, Narayanpet (now dismissed from service) has modified the initial estimate without taking prior permission from higher authorities, resulting in construction of building up to basement level due to deviation of same estimate amount abnormally by Rs.25.00 lakhs.

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at narayanpet Mahabubnagar district.

The AEE has submitted the proposals for construction of Kalabhavan in favour of SP.Balu fans association at Narayanpet mandal for 15 lakhs with the detailed modal estimate of the SC Community hall with size 16¹ X 24¹ Hall and 18'x8' stage, for an amount of Rs.15.00 lakhs and the same was admin sanctioned vide proc.no.03/PLG-I/CPO/MPLADS/MP/16th LS/MBNR/2014-15, dt: 31.01.2015 of Collector and District Magistrate Mahabubnagar. Further the S.P.Balu Fans requested the Executive Engineer PR Narayanpet to increase the hall size of Kalabhavan to accommodate 300 students with a stage. The then Executive Engineer has not inspected the site to prepare realistic estimates as per G.O.94 even though the monitory limits are under his preview.

Further the Executive Engineer, PR, Narayanpet has reported in the estimate for Rs.25.00 lakhs dated: 10.02.2016, that due to BC and Slushy soil and low lying area the depth of column foundation has been increased on account of which the amount has become insufficient, so as to make the building for the public usage.

CHARGE- II:

That Sri S.Sathyanarayana Rao, the then Executive Engineer, PR, Narayanpet (now dismissed from service) has prepared Un realistic Estimate without site inspection and violation of G.O.94.

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at narayanpet Mahabubnagar district.

The AEE has submitted the proposals for construction of Kalabhavan in favour of SP.Balu fans association at Narayanpet mandal for 15 lakhs with the detailed modal estimate of the SC Community hall with size 16¹ X 24¹ Hall and 18'x8' stage, for an amount of Rs.15.00 lakhs and the same was admin sanctioned vide proc.no.03/PLG-I/CPO/MPLADS/MP/16th LS/MBNR/2014-15, dt: 31.01.2015 of Collector and District Magistrate Mahabubnagar. Sri S.Sathyanarayana Rao, Executive Engineer has not inspected the site to prepare realistic estimate as per G.O.94.

CHARGE- III:

That Sri S.Sathyanarayana Rao, the then Executive Engineer, PR, Narayanpet (now dismissed from service) has check measured excess measurements recorded by the AEE, thereby causing a loss of Rs.1,32,734/- to the Government Exchequer.

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at Narayanpet Mahabubnagar district.

(P.T.O.)

The AEE has submitted the proposals for construction of Kalabhavan in favour of SP.Balu fans association at Narayanpet mandal for 15 lakhs with the detailed modal estimate of the SC Community hall with size 16¹ X 24¹ Hall and 18'x8' stage, for an amount of Rs.15.00 lakhs and the same was admin sanctioned vide proc.no.03/PLG-I/CPO/MPLADS/MP/16th LS/MBNR/2014-15, dt: 31.01.2015 of Collector and District Magistrate Mahabubnagar. Further the S.P.Balu Fans requested the Executive Engineer PR Narayanpet to increase the hall size of Kalabhavan to accommodate 300 students with a stage. The then Executive Engineer has not inspected the site to prepare realistic estimates as per G.O.94 even though the monitory limits are under his preview.

Further the Executive Engineer, PR, Narayanpet has reported in the estimate for Rs.25.00 lakhs dated: 10.02.2016, that due to BC and Slushy soil and low lying area the depth of column foundation has been increased on account of which the amount has become insufficient, so as to make the building for the public usage.

The Physical measurement of the stone masonry and Gravel filling inside the Basement of the Kalabhavan building were verified with respect to the recorded measurements and were not tallied. The net recovery of amount Rs.56,737/- was calculated against the deficiencies in the measurements.

The Physical measurements of the sand filling, PCC and VRCC of the Column footing (3 nos at random) of the Kala Bhavan building were verified with respect to the recorded measurements and were not tallied. The recovery was calculated against the deficiencies in the measurements for the 3 columns. The net recovery amount for three columns is Rs.75,997/- was calculated against the deficiencies in the 3 columns ie., 56,737+75997= loss of Rs.1,32,734/-.

CHARGE- IV:

That Sri S.Sathyanarayana Rao, the then Executive Engineer, PR, Narayanpet (now dismissed from service) has left the structure in midway in incomplete shape is in violation of MPLADS Guidelines 3.3.

BASIS:

The V&E Department, have inspected the works and furnished detailed enquiry report vide their Report No. 45(191/V&E/E.III/2017), Dt.31.10.2017 on the allegations against the misuse of MP LADS in the construction of Kalabhavan at narayanpet Mahabubnagar district.

Kalabhavan building work was completed up to plinth level at the time of inspection and verified the physical measurements of the work ie., columns, footings, gravel filling inside the basement and stone masonry with respect to the recorded measurements. The work was stopped at basement level.

The initial line estimate for Rs.15 lakhs of community Hall was with less dimensions and normal foundation depths. Whereas the proposed Kalabhavan building dimensions were three times increased. But the Executive Engineer/PR has submitted the revised estimate for Rs.15 lakhs up to roof level. He has modified the initial estimate without taking prior permission from higher authorities and also without approved designs and drawings. According to site conditions so as to get the required SBC the depth of foundations are increased. Hence, the foundation cost is increased as the depth of the foundation has gone up to nearly 3mts. In view of the above the estimate amount was exhausted only up to basement level.

The preparation of irrelevant estimate was without site inspection and in violation of clause 3.3.1 of MPLADS guidelines.

Based on the above findings it is to state that the allegation of Misuse of MPLADS in the construction of Kalabhavan at Narayanpet, Mahabubnagar is substantiated.

(Contd....3)

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Thus, Sri S. Sathyanarayana Rao, the then Executive Engineer, PR, Narayanpet (now dismissed from service) has failed to discharge his legitimate duties properly by violating the guide lines detailed in clause 3.8, 3.9 of MP LADS. Thus his action is in violation of Rule (3) of TCS (Conduct) Rules, 1964.

Hence the charge.

VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT(PR&RD)

SECTION OFFICER

ANNEXURE II

(Annexure to G.O.Rt.No.228, PR&RD (Vig.I) Deptt., dt.08.05.2019)

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGES ARE PROPOSED AGAINST SRI S. SATHYANARAYANA RAO, THE THEN EXECUTIVE ENGINEER, PR, NARAYANPET (NOW DISMISSED FROM SERVICE) TO BE SUSTAINED.

Vig & Enforcement Report No. 45 (191/V&E/EIII/2017), dt:3-10-2017.

**VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT(PR&RD)**

SECTION OFFICER

ANNEXURE III

(Annexure to G.O.Rt.No.228, PR&RD (Vig.I) Deptt., dt.08.05.2019)

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGES ARE PROPOSED AGAINST SRI S. SATHYANARAYANA RAO, THE THEN EXECUTIVE ENGINEER, PR, NARAYANPET (NOW DISMISSED FROM SERVICE) TO BE SUSTAINED.

-NIL-

**VIKAS RAJ
PRINCIPAL SECRETARY TO GOVERNMENT(PR&RD)**

SECTION OFFICER